



Docket No.: C010690/0101683

AF
\$1641

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Berend HOUWEN, *et al.*

Serial No. 09/058,323

Filed: April 9, 1998

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) Examiner: Gailene R. Gabel
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) Art Unit: 1641
)
)

For: **PROCESS FOR DISCRIMINATING
AND COUNTING ERYTHROBLASTS**

New York, New York
March 19, 2004

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the November 19, 2003 decision of the Primary Examiner finally rejecting claims 1-9, and 13. Claims 10-12 have been objected to as depending on rejected base claim. No claims have been allowed. The Office Action set an extendible three-month shortened statutory period for response. Accordingly, with the Response to Final Office Action Including Amendment and Request for Extension of Time being filed concurrently herewith, this NOTICE OF APPEAL is filed timely upon mailing, with an executed certificate of mailing, on or before March 19, 2004.

37 C.F.R. §1.8. A check in the amount of \$330.00 for the Appeal Fee is enclosed.

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It is not believed that this response requires any other fees, but if our checks are missing or otherwise insufficient, or if any additional fees are required, for example, for lodging this appeal or for filing the Appeal Brief, not otherwise paid by check, the Commissioner is authorized to charge (or credit any overpayment) to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

By: 

Charles T. J. Weigell

Reg. No. 43,398

BRYAN CAVE LLP

1290 Avenue of the Americas

New York, NY 10104

Tel. No.: (212) 541-2000

Fax No.: (212) 541-4630

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 19, 2004

(Date of Deposit)

Charles T. J. Weigell

Name of applicant, assignee, or
Registered Representative


Signature

3/19/2004

Date of Signature